



RECEIVED

NOV 05 2008

Public Disclosure  
Commission

Rob McKenna

**ATTORNEY GENERAL OF WASHINGTON**

1125 Washington Street SE • PO Box 40100 • Olympia WA 98504-0100

November 4, 2008

Vicki Rippie  
Executive Director  
Public Disclosure Commission  
PO Box 40908  
Olympia, WA 98504-0908

**RE: Washington State Republican Party Citizen Action 45 Day Letter –  
People for Christine Gregoire Committee**

Dear Ms. Rippie:

The Attorney General's Office has received a citizen action letter filed by Jeremy Deutsch on behalf of the Washington State Republican Party. The letter alleges violations of the state campaign finance disclosure laws by the People for Christine Gregoire political committee. The letter was filed pursuant to RCW 42.17.400(4). As you know, RCW 42.17.400(4) requires action by the State within specific time periods or the citizen may proceed in the name of the State. This letter was received on Tuesday October 28, 2008 and a copy is attached. I understand from speaking with your staff, you may have already received a complaint directly to the Commission on the same issues.

As is customary with these types of matters, the Attorney General is respectfully requesting your agency conduct an investigation into the allegations. We will await the results of your investigation before proceeding further. In the event the Commission determines that it is appropriate to schedule an administrative hearing, please advise. Otherwise, I would request the Commission's recommendation, with the report of investigation, be forwarded to the Attorney General when it is complete.

I have been assigned the file in our office. I am available to answer any legal questions you may have during the course of the investigation.

If you have any questions, please do not hesitate to call me at (360) 753-0543.

Sincerely,

LINDA A. DALTON  
Sr. Assistant Attorney General

LAD:nr

cc: Rob McKenna, Attorney General  
Jeff Goltz, Deputy Attorney General  
Dan Satterberg, King County Prosecuting Attorney  
Jeremy Deutsch, Washington State Republican Party



WASHINGTON STATE REPUBLICAN PARTY

ATTORNEY GENERAL  
OF WASHINGTON

OCT 28 2008

GOVERNMENT COMPLIANCE  
& ENFORCEMENT

October 23, 2008

Linda Dalton  
Washington State Attorney General's Office  
1125 Washington St SE P.O. Box 40100  
Olympia, WA 98504

Dan Satterberg  
King County Prosecuting Attorney  
W554 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Re: 1<sup>st</sup> Notice of Intent to Sue People for Christine Gregoire for Violations of RCW 42.17.RCW 42.17.640(12) and RCW 42.17.640(14).**

Dear Prosecutor Satterberg and Ms. Dalton:

The Washington State Republican Party (WSRP) submits this statutory notice of intent to sue People for Chris Gregoire, a candidate committee, for numerous violations of the prohibitions on receipt of contributions from out-of-state entities that lack Washington contacts. The WSRP intends to bring a citizens action against People for Chris Gregoire under 42.17.400(4) if you do not commence an action within the time frames provided by statute.

To blunt the influence of wealthy out-of-state Political Action Committees ("PACs"), "no political committee . . . may make contributions . . . to a candidate" unless the PAC has "received contributions of ten dollars or more from at least ten persons registered to vote in Washington state during the preceding one hundred eighty days."<sup>1</sup> And, lest candidates attempt to plead ignorance of the source of their funds, this mandate forbids both out-of-state PAC donations and in-state candidate acceptance: "[n]o person may accept contributions that exceed the contribution limitations . . ."<sup>2</sup>

Despite this, Christine Gregoire, a candidate for governor in 2008, has accepted contributions totaling at least \$12,200 from at least five out-of-state PACs lacking the required in-state donors. For example, on August 6, 2007, Bill Ritter for Governor ("Ritter PAC"), the campaign committee for Colorado Governor Bill Ritter, donated

---

<sup>1</sup> RCW 42.17.640(12).

<sup>2</sup> RCW 42.17.640(14).

\$2,800 to Gregoire.<sup>3</sup> Colorado requires detailed campaign finance information, and, according to documents filed with the Colorado Secretary of State, Ritter PAC received 172 contributions between December 8, 2006, and September 30, 2007, over 180 days leading up to the Gregoire contribution. No donor lived in Washington.<sup>4</sup> According to RCW 42.17.640(12) and (14), Gregoire illegally accepted this \$2,800 contribution.

Justice For America PAC is the committee for former New Mexico Attorney General and one-time congressional candidate Patricia Madrid. From October 24, 2004, until July 3, 2008, it received 241 contribution totaling over \$700,000. It has yet to receive a single Washingtonian donation, according to its official reports filed with the New Mexico Secretary of State.<sup>5</sup> And yet, on September 26, 2007, Gregoire accepted a \$1,800 donation from Justice for America PAC.<sup>6</sup>

Progress, Vision, and Commitment PAC is also based in New Mexico. From May, 2007, until the present, it has received \$144,000 from 33 donors. Most live in New Mexico, a few live in Washington, D.C., none live in Washington State.<sup>7</sup> On September 26, 2007, despite this lack of Washington donors, Gregoire accepted \$2,800 from Progress, Vision, and Commitment PAC, violating Washington's campaign finance laws.<sup>8</sup>

Pennsylvania allows donors to give large amounts to its candidates, so it is especially troubling that, on July 16, 2008, Gregoire accepted \$3,200 from Rendell for Governor, the PAC supporting Pennsylvania Governor Ed Rendell.<sup>9</sup> And more than troubling, it was illegal. In the 180 days leading to the Gregoire contribution, Rendell for Governor accepted 242 donations, some for as much as \$125,000; none came from Washington.<sup>10</sup>

Nor is Governor Rendell the only Governor from whom Gregoire took illegal contributions. Since surprisingly becoming New York's Governor following the

---

<sup>3</sup> Modern campaign finance laws utilize online reporting. This has the advantage of making contributions more accessible, but has the detriment of making citation clumsy. To the extent possible, this report cites the title of the PDF document, the date on which it was filed, the pages on which the relevant information appears, and the website on which the information can be found. The Ritter contribution, for example, comes from Attachment to C-3 Form, Receipts Continuation Sheet, 9/27/2007, page 1, August 6, 2007, available at

<http://www.pdc.wa.gov/rptimg/default.aspx?batchnumber=100268461&formtype=C3+AMENDED>.

<sup>4</sup> These data are available at <http://www.sos.state.co.us>.

<sup>5</sup> New Mexico's campaign finance information is completely online; these data are available at <https://www.sos.state.nm.us>.

<sup>6</sup> Attachment to C-3 Form, Receipts Continuation Sheet, 9/27/2007, page 15, available at

<http://www.pdc.wa.gov/rptimg/default.aspx?batchnumber=100268573&formtype=C3+AMENDED>.

<sup>7</sup> Available at

<https://secure.sos.state.nm.us/Webethics/contributors.aspx?pitimid=11502&rpts=11380%a7c11382%a7c11381> and the page that follows.

<sup>8</sup> Attachment to C-3 Form, Receipts Continuation Sheet, 9/27/2007, page 25, available at

<http://www.pdc.wa.gov/rptimg/default.aspx?batchnumber=100268573&formtype=C3+AMENDED>.

<sup>9</sup> Attachment to C-3 Form, Receipts Continuation Sheet, 7/17/2008, page 18, available at

<http://www.pdc.wa.gov/rptimg/default.aspx?batchnumber=100262560&formtype=C3>.

<sup>10</sup> Online information available at

<http://www.campaignfinance.state.pa.us/ReportSearchResults.aspx?RequestID=269983&StartRow=1&RowsPerPage=10>.

resignation of Elliot Spitzer, David Patterson—or more specifically his PAC, Patterson for Governor, Inc.—has received over \$3,300,000 from 666 donors, several of whom contributed more than \$35,000.<sup>11</sup> The PAC received \$2,000 from Trueblue, Inc., based in Tacoma. It was the only Washington donor. Even though this lack of Washington donors made it illegal, Gregoire accepted \$1,600 from Patterson's PAC on September 11, 2008.<sup>12</sup>

All told, Gregoire accepted \$12,200 in illegal contributions from five PACs. The law provides a harsh penalty: "[A] person or entity who violates RCW 42.17.640 may be subject to a civil penalty of ten thousand dollars or three times the amount of the contribution illegally made or accepted, whichever is greater."<sup>13</sup> Gregoire is liable for up to \$36,600 in damages for accepting illegal PAC contributions.

And those are only the confirmed illegal PAC donations. Take Competitive Edge PAC, for example, which supports Arizona Governor Janet Napolitano. In 2007 and 2008, it received contributions from 152 donors totaling over \$255,000. Because it is a federally-registered PAC, it must only disclose donors giving over \$200. Of those disclosed, none live in Washington.<sup>14</sup> On December 14, 2007, Gregoire accepted \$2,800 from Competitive Edge PAC.<sup>15</sup> Perhaps ten Washingtonians donated at least ten dollars to the PAC in the 180 days before the Gregoire contribution. This seems unlikely, though, and strong doubts remain.

On August 19, 2008, Gregoire accepted \$3,200 from the Philadelphia Future PAC.<sup>16</sup> This PAC is a federal 527 group, and its donor base is inaccessible. Yet in 2004 alone, it gave \$120,000 to Edward Rendell For Governor, and another \$96,000 to James Eisenhower For Attorney General.<sup>17</sup> Given that its stated purpose is to "support the candidates for the benefit of the greater Philadelphia region" and its prime contact is Philadelphia-based Comcast senior executive David L. Cohen,<sup>18</sup> it is unlikely this

---

<sup>11</sup> Information available at

[http://www.elections.state.ny.us:8080/plsql\\_browser/CONTRIBUTORA\\_COUNTY?ID\\_in=A37719&date\\_from=&date\\_to=&AMOUNT\\_from=&AMOUNT\\_to=&ZIP1=&ZIP2=&ORDERBY\\_IN=N&CATEGORY\\_IN=ALL](http://www.elections.state.ny.us:8080/plsql_browser/CONTRIBUTORA_COUNTY?ID_in=A37719&date_from=&date_to=&AMOUNT_from=&AMOUNT_to=&ZIP1=&ZIP2=&ORDERBY_IN=N&CATEGORY_IN=ALL).

<sup>12</sup> Attachment to C-3 Form, Receipts Continuation Sheet, 9/12/2008, page 51, available at <http://www.pdc.wa.gov/rptimg/default.aspx?batchnumber=100276283&formtype=C3+AMENDED>.

<sup>13</sup> RCW 42.17.390(3).

<sup>14</sup> The actual documents filed with the Federal Election Commission are available at <http://herndon1.sdrdc.com/cgi-bin/fecimg/?C00433474>, and the donors list has been compiled in searchable form by the Center for Responsive Politics, a Washington, D.C. based good government group. It can be accessed at <http://www.opensecrets.org/pacs/pacgave.php?cmte=C00433474&cycle=2008>.

<sup>15</sup> Attachment to C-3 Form, Receipts Continuation Sheet, 12/17/2007, page 2, available at <http://www.pdc.wa.gov/rptimg/default.aspx?batchnumber=100268513&formtype=C3+AMENDED>.

<sup>16</sup> Attachment to C-3 Form, Receipts Continuation Sheet, 8/22/2008, page 38, available at <http://www.pdc.wa.gov/rptimg/default.aspx?batchnumber=100269883&formtype=C3>.

<sup>17</sup>

<http://www.campaignfinance.state.pa.us/ContributionSearchResults.aspx?RequestID=205563&SortOrder=0&StartRow=1&RowsPerPage=36>.

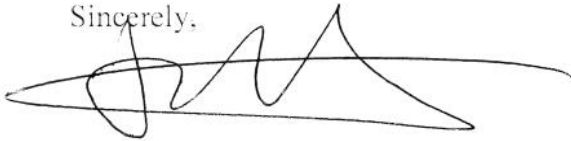
<sup>18</sup> [http://www.campaignmoney.com/political/527/philadelphia\\_future\\_pac.asp](http://www.campaignmoney.com/political/527/philadelphia_future_pac.asp); see also <http://people.forbes.com/profile/david-l-cohen/21325> (Cohen's Forbes profile).

unregulated PAC receives Washington contributions, especially given Gregoire's pattern of accepting illegal contributions from out-of-state PACs.

Gregoire has accepted thousands of dollars from out-of-state PACs. She has done so in violation of Washington's campaign finance laws. She is liable for up to three times the amount of the illegal donations and any other remedies available. These actions breach not only the campaign finance laws, but the faith of the people of Washington. Please consider this letter a 45-day notice that if the State does not take action to address the violation that the undersigned may commence such action under RCW 42.17.400.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'JD' followed by a stylized flourish.

Jeremy Deutsch